Eric G. Wallis (SBN 67926) 1 E-mail: ewallis@reedsmith.com REED SMITH LLP 2 1999 Harrison Street, Suite 2400 3 Oakland, CA 94612-3572 Mailing Address: 4 P.O. Box 2084 Oakland, CA 94604-2084 5 Telephone: +1 510 763 2000 6 Facsimile: +1 510 273 8832 7 Christine A. Kendrick (State Bar No. 186002) David R. Maurer (State Bar No. 216263) 8 E-mail: christine.kendrick@morganstanley.com E-mail: david.maurer@morganstanley.com 9 MORGAN STANLEY & CO. INCORPORATED LEGAL COMPLIANCE DIVISION 10 101 California Street, 2nd Floor San Francisco, CA 94111 11 Telephone: +1 415 693 6000 12 Facsimile: +1 415 693 6250 13 Attorneys for Defendant Morgan Stanley & Co. Incorporated 14 15 16

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

NATHALIE DECRET, an individual, Plaintiff.

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VS.

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MORGAN STANLEY & CO. INCORPORATED, a corporation, and DOES 1 through 20, inclusive,

Defendants.

Case No. C07-2598-EMC

## JOINT CASE MANAGEMENT **CONFERENCE STATEMENT**

Date:

November 7, 2007

Time:

1:30 pm

Courtroom:

Jurisdiction and Service: Jurisdiction of this matter is based on diversity of 1. citizenship, 28 U.S.C. Section 1332, in that plaintiff and defendant are citizens of different states and the amount in controversy exceeds \$75,000. Service of process has been effected, and neither party contests either subject matter or personal jurisdiction.

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| 2. <u>Facts</u> : On July 3, 2007 the Court signed a Stipulated Award directing NASD (now          |
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| FINRA) arbitration of Plaintiff's claims. On or about July 14, 2007, 2007 Plaintiff filed her      |
| arbitration claim to which Defendant filed an Answer on September 14, 2007. The parties have       |
| participated in selection of arbitrators, and a pre-hearing conference to schedule the arbitration |
| hearing dates is set for November 15, 2007. The arbitration hearing should be scheduled to take    |
| place during the first half of 2008.   |

- <u>Legal Issues</u>: Not applicable. 3.
- Motions: Not applicable until the arbitration is concluded, at which time a Motion 4. to Confirm may be filed.
  - Amendment of Pleadings: Not applicable. 5.
  - Evidence Preservation: Not applicable. 6.
  - Disclosures: Not applicable. 7.
  - **Discovery**: Not applicable. 8.
  - Class Actions: Not applicable. 9.
  - 10. Related Cases: Not applicable.
  - Relief: Not applicable. 11.
  - Settlement and ADR: See discussion under paragraph 2, supra. 12.

A limited liability partnership formed in the State of Delaware

REED SMITH LLP

| 13.         | Consent to Magistrate Judge For All Purposes: The parties executed and filed in                    |
|-------------|--|
| July 2007 s | aid consents.  |
| 14.         | Other References: Not applicable.  |
| 15.         | Narrowing of Issues: Not applicable.   |
| 16.         | Expedited Schedule: Not applicable.  |
| 17.         | Scheduling: Not applicable.  |
| 18.         | Trial: Not applicable.   |
| 19.         | Disclosure of Non-party Interested Entities or Persons: Not applicable.                            |
| DA          | TED: October <u>30</u> , 2007.   |
| DA          | By Eric G. Wallis Attorneys for Defendant Morgan Stanley & Co. Incorporated TED: October 25, 2007. |
|             | By Jeffrey A. Feldman Attorneys for Plaintiff  |